

ALPINE CITY COUNCIL PUBLIC HEARING & MEETING
Alpine City Hall, 20 North Main, Alpine, Utah
May 13, 2014

I. CALL MEETING TO ORDER: The meeting was called to order at 6:37 pm by Mayor Don Watkins

A. Roll Call: The following were present and constituted a quorum:

Mayor Don Watkins

City Council: Lon Lott, Roger Bennett, Will Jones, Troy Stout

Council Members not present: Kimberly Bryant excused due to knee surgery.

Staff: Rich Nelson, Charmayne Warnock, David Church, Shane Sorensen, Jason Bond, Jannicke Brewer, Annalisa Beck

Others: Ron Beckstrom, Becky Rasband, Juanita Nield, Levi Ellis, Ron Rasmussen, Kathleen Rasmussen, Joe Heiner, Kathy Heiner, Andra Ellis, Troy Ellis, Harley Gillman, Ethan Davenport, Nancy Davenport, Doug Nielsen, Stefan Harlan, Shawn Covey, John James, Payton Sampson, Kedar Rugg, Matthew Moore, Craig Skidmore, Dennis Norton, Dana Beck, Will Peterson, Isaac Spencer, Ed Gifford

B. Prayer: Don Watkins

C. Pledge of Allegiance: Ron Rasmussen

II. PUBLIC COMMENT: Ron Beckstrom said he had lived on 300 North in Alpine for 18 years. Behind his home was a three-acre piece of ground that, at one time was going to be used for a Maori park. In 2007 the City designated it as open space. He said it had been kept beautifully for about 14 years. Then the City began to use it to store materials when they built Creekside Park. Now it was almost a dump with piles of rocks and gravel. Sandbags from last year's flooding were stored on it and they were breaking open. The pump house needed painting. Kids on 4-wheelers and bikes were riding up and down the piles of dirt. He said he would like to see it used for what it was designed for.

Shane Sorensen said one of the problems was that the City had no area for stockpiling since everything had been developed. There was not enough room at the shop to keep things.

Rich Nelson said the real issue was that the City didn't have a staging area to store the necessary materials and equipment. He said they would make it an agenda item.

III. CONSENT CALENDAR

A. Approve the minutes of April 22, 2014.

MOTION: Will Jones moved to approve the minutes of April 22, 2014 as amended. Lon Lott seconded. Ayes: 3 Nays: 0. Motion passed. Troy Stout was not present at the time of the motion.

IV. REPORTS AND PRESENTATIONS

A. Financial Report for April 2014: Rich Nelson reviewed the revenue as of April. He said that 83% of the year had elapsed. In most all categories the revenue exceeded the budget projections. Revenue from construction was almost twice the amount project. They had not anticipated as much building as there had been. The only concern was water revenue which was at 77% and should be at 83%.

V. ACTION/DISCUSSION ITEMS

Since Councilman Stout was not present, the Mayor recommended they move to agenda item C.

C. Resolution No. R2014-03, Confirming the appointment of Douglas J. Nielsen as the Justice Court Judge to the Alpine/Highland Justice Court. Mayor Watkins said that Judge Darwin Poulsen had retired after

many years of service, and it had been his privilege to serve on the committee to select a new judge. He said he was very impressed with Judge Nielsen.

Rich Nelson said they had 32 candidates apply. Judge Nielsen had been the judge for Lehi City for little over a year. There were many accolades for his ability to work with both sides of the aisle.

Douglas Nielsen said he was born and raised in Spanish Fork. He attended the Oklahoma City University Law School. He'd been married for 14 years and had five children, two of whom were four-month-old twins. Prior to his judgeship with Lehi City, he had worked as a criminal defense attorney. He said someone in the legal profession whom he respected and told him that the biggest impact he could have would be as a judge in a small town where there was an opportunity to influence young offenders. He said he believed in an honest, open relationship between the city and the judicial office. At the same time, he believed in the separation of powers. He said he would like to meet with the administrators on a monthly basis, and come to the council meetings to keep them updated.

There was a question about the increase in the budget for court costs. It was pointed out that the increase was to cover the cost of a bailiff for security purposes. Judge Nielsen said he had learned there was also a security scanner that had been purchased but never set up. He planned to utilize that to augment security. He also wanted to implement a more efficient collection process.

MOTION: Roger Bennett moved to adopt Resolution No. R2014-03 affirming the appointment of Douglas J. Nielsen as the Justice Court Judge to the Alpine/Highland Justice Court on this 13th day of May, 2014. Will Jones seconded. Ayes: 4 Nays: 0. Roger Bennett, Lon Lott, Will Jones, Troy Stout voted aye. Motion passed.

PUBLIC HEARING: CONSIDERATION TO AMEND THE 2013-2014 BUDGET TO FUND A DONATION TO THE DISTINGUISHED YOUNG WOMEN OF ALPINE.

Mayor Watkins opened the Hearing to public comment.

Jannicke Brewer said she was commenting as a citizen, not as a planner. She said she felt it was not appropriate for Alpine City to fund the program. The number of girls who participated was less than 1 percent. The girls were judged on scholastic ability and talent, which was great if they had a talent that was very visible. But what if a girl's talent was in being extra caring or she was an engineering whiz. She said the funds went to only a few people and not as many as it should.

Isaac Eugene Spencer said he thought they should fund it because it gave the young women something to do and a way to get together.

There were no more comments and the hearing was closed.

A. Ordinance No. 2014-07, Amending the 2013-2014 to Fund a Donation to the Distinguish Young Women. The program had requested a donation of \$6,000 to fund scholarships of the winners of the pageant.

Troy Stout said he was torn on the issue. He felt it was a worthy cause but he wondered if there was another way for the City to support the program other than making a monetary donation. The City supported the sports programs by providing fields.

Lon Lott said he had attended the program the other night and was impressed with the talents and abilities of the girls. He felt it was a worthy cause. But as he'd mentioned before, he was more inclined to donate personally to the program than use tax dollars to support it. He said he had spoken to a number of citizens about it and the majority were opposed to having their tax dollars used to help fund it.

Troy Stout clarified that the donation would go to scholarships. He asked how many scholarships there would be. Lon Lott said there were three winners who would receive scholarships.

MOTION: Will Jones moved that the City not fund the Distinguished Young Women program out of the budget this year. Roger Bennett seconded. Ayes: 4 Nay: 0. Will Jones, Roger Bennett, Lon Lott, Troy Stout voted aye. Motion passed.

B. Ordinance N. 2014-08, Amending the Mass Gathering Ordinance, Part 8-302 of the Alpine City Municipal Code. Jason Bond said the Council had previously adopted an ordinance in October 2013 to regulate mass gatherings. At the time they expected there would be amendments. Since that time, they'd had several events and learned from them. One of things they learned was that there needed to be more time to prepare for the events, especially when there were street closures. The proposed amendment changed the submission time from 30 days to 40 days prior to the event.

MOTION: Will Jones moved to adopt Ordinance No. 2014-08 amending the Mass Gathering Ordinance. Troy Stout seconded. Ayes: 4 Nays: 0. Will Jones, Troy Stout, Roger Bennett and Lon Lott voted aye. Motion passed unanimously.

D. Sales Tax Leakage Proposal: Mayor Watkins said the proposal was to study the retail market in Alpine and determine what could be done to increase sales tax. The estimated cost of the study was about \$10, 000.

Lon Lott said he'd read the study and wondered what it would really generate for the City. As a small business owner who worked in Alpine, he realized he purchased all his supplies outside of Alpine so the sales tax went elsewhere. He didn't pay sales tax in Alpine because he'd paid it prior to using it in the city. That was one way they were losing revenue. He questioned if the study was really worth \$10,000.

Rich Nelson said the study would be a stepping stone if they ever did any kind of commercial development. If the commercial development was not feasible, there would be no return on the investment. The study should tell them what kind of business would have a chance of being successful in Alpine.

Will Jones said there might be businesses they hadn't thought of. He said phases 2, 3 and 4 of the study would be where they got their best dollars. He said he supported the study. It would give them some idea of what type of commercial would work in Alpine, especially since they were working on the General Plan. If \$10,000 was too much, perhaps they could get another bid.

Don Watkins said he'd read something from Warren Buffet who said the commercial shopping centers were dying because of internet sales. Alpine had a lot of internet proprietors that were doing business and not charging sales tax.

Becky Rasband said that as a tax payer, she didn't want to spend tax dollars on a study that had already been done. They already knew that businesses didn't survive in Alpine. Carmela's was empty again. The Peppermint Place left town. Alpine was a dead-end community. Without redoing roads and providing access to main arteries, she didn't think most businesses would be viable in Alpine.

Will Jones said that when Kenkraft was sold, it had been successful but because they needed to consolidate their other businesses, they moved from Alpine. He said that Carmela's had sold and a new preschool would be opening there. He said Alpine wasn't really very business friendly and they couldn't keep their tax dollars if they didn't do something.

MOTION: Troy Stout moved to support the tax leakage study by requesting RFPs for further bids for the said study, and once they had the numbers, they would make a decision. Will Jones seconded. Ayes: 4 Nays: 0. Troy Stout, Lon Lott, Roger Bennett and Will Jones voted aye. Motion passed.

E. Moyle Park Master Plan review and approval of location of proposed restrooms in Moyle Park: Mayor Watkins said Moyle Park was a gem in their community. There was even a film about it that had put the Alpine park on the map. He said the discussion that evening would be about putting restrooms in the park.

Shane Sorensen showed the proposed location of the new restrooms. They would have to relocate some sprinkler lines and take out a tree, possibly two trees. They would install the prefab restrooms which were less expensive and easier to install and maintain. They would need to bring in a semitrailer and use a crane to install them.

Troy Stout said he had talked to a neighboring property owner, Troy Ellis, whose property backed up to Moyle Park. There was a gate between his property and Moyle Park and he drove through the park to access his backyard where he kept livestock and brought in hay. He would like to maintain that access. David Church said there was no record of a legal access to the Ellis property. Troy Stout said he was more concerned about being a good neighbor.

Lon Lott said that as a landscaper, his perspective was somewhat different from the public works perspective. He said he would prefer to locate the restrooms in an area of the park that was less visible. A restroom in the proposed location would be the first thing a visitor saw as they drove into the park. Accessing sewer and water would be a more difficult challenge in another location, but he felt the city would be happier with it in the long run.

Will Jones said his concern was determining what kind of policy the City wanted to have regarding access to the parks. In the last four months they City had four different situation where people asked to use city open space to do something on their property. There was an instance in Creekside Park where someone came in and wanted a fence. The City told him no. There was another instance where someone wanted to put up some temporary scaffolding in the park to work on a wall. The City said no. Another citizen asked for limited emergency access for a subdivision. The City said no. Most recently there was a neighbor who wanted to drive up a city road to get to their. The City said no.

Mr. Jones said he was concerned about consistency. The Ellis's were not the only ones who had gates that opened into Moyle Park. Just recently Mike Russon wanted to go through the park to access his property to repair a pool. The City said no. He said they needed to have a policy and be consistent. Before long they would have twenty more people who bordered their parks. What would they do?

Roger Bennett said he thought the City should be a good neighbor, but what Will Jones said had rung true. They had to be consistent.

Troy Stout said Mr. Jones brought up a good point, but he felt they could draw a line between them because each one was different. He felt the wall changed the complexion of the Lambert Park. They were asking to cut back the scrub oak so they could put up their scaffolding. He said Moyle Park was more of an urban park. He said he thought the restrooms could go any number of places.

Troy Ellis said he appreciated the Council and he was a friend of the park. He'd lived there for 24 years and had helped Wayne and Linda Hardman with the park when they were the caretakers. He went in and plowed the road for them. Since there was limited parking in the park for big events, he let them park on his property. He said he didn't look at his gate as a legal right and he wasn't asking for an easement, but he would like to keep the access. That was how they kept his corral clean and brought in the hay. He said he'd like to see the restroom up where the other one was.

There was more discussion about the location of the restrooms. Jannicke Brewer said that according to the ordinance, when there was a major improvement in a park, they had to notify neighbors within 500 feet and hold a public hearing by the Planning Commission.

Mayor Watkins said the issue would be going back to the Planning Commission. He asked if there were any other comments.

Dennis Norton said he had been on the City Council when Moyle Park was first proposed. Wayne Hardman came to the City and offered to build the house for \$28,000 and he did it. He said much of the improvements in Moyle Park came from volunteer effort. If the City wanted to come through his property to build a restroom on the north side, they could do it. He said the residents surrounding the park wanted to be good neighbors. Every few weeks, he brought his horses through the park, and if there were children there who wanted to ride the horse, he gave them a ride. It was, after all, a pioneer park. Over the years he said he'd given horse rides to several hundred kids. He said there were school kids who came through his property and through the gate and through Moyle Park. If those gates were shut, the kids would be walking down Grove Drive. That risk wasn't worth it to him. He reiterated that if they wanted to come across his property to install restrooms on the north end, he was fine with that. If additional cost for the sewer was an issue because of the distance, he would pay the difference. He asked that they take some effort not to offend the neighbors.

Kathy Heiner said she was a neighbor to the park but did not have access. She said she loved the fact that there were horses there. All the children south of them loved the access through the park and she would hate to see that taken away. She said she'd seen people coming in and using the portapotties, then leaving. She felt having the restrooms out of sight was better. She was concerned that a prefab restroom may not fit the pioneer character of the park.

Shane Sorensen said that in the last 19 years, he had looked at a lot of different restrooms. A stick built restroom cost between 80 to 100 thousand dollars. The prefab restroom like the one they had in Legacy Park was \$30,000 and it was the easiest to maintain.

Mayor Watkins said this item would be going to the Planning Commission for further discussion.

F. Bridle Up Hope Site Plan - Rachel Covey Foundation: Jason Bond said the proposed site was located at approximately 1150 E. Watkins Lane. It was an equestrian center located on 8 acres with riding areas, office, parking, stables, and a hay barn. The program was for young women only, where they would work on self-esteem issues. It was not a rehabilitation center and there was no lodging. The mission of Bridle Up Hope as stated in their application was help young women build hope and confidence through their revolutionary program of equine therapy and *The 7 Habits of Highly Effective Teens*.

Shawn Covey and Stefan Harlan were present and responded to questions. Mr. Covey said that he and his wife were the founders of Bridle Up Hope. After their daughter passed away, they had a number of girls come up to them and tell them that their daughter had changed their lives when she taught them how to ride horses. That was what sparked the idea. The program was for young women between the ages of 12 to 25 who were challenged with depression, anxiety or low self-esteem. It was a 13-week program where the girls learned to ride and care for horses. They would perform service and clean out the stalls. Life skills would be taught in a subtle way. He said it was all free for the girls. It cost about \$1000 for a girl to go through the program so they raised money to sponsor the girls. So far they'd had about 100 girls go through the program in their temporary location in Highland, and had seen a transformation or significant change in the girls.

Mr. Covey said the site in Alpine would be accessed from Watkins Lane. The lane would be flanked by pastures with white picket fences. There would be an office, an indoor arena, an outdoor arena, riding trails, parking, a hay barn and stables for 16 horses. Mr. Harlan added that that an existing home would be the caretaker's house.

Troy Stout said it sounded like a great program but he was concerned that it was a big commercial operation in the midst of homes. He asked what kind of profile would be on the office structure and indoor arena. He also asked about traffic impact, excavation, landscaping, and if the Foundation had ownership of the property.

Stefan Harlan said the building would be 34 feet to the ridge line with a chimney. Their intent was to make it look like a house. It would be one building. Regarding traffic impact, he said he would generate less traffic than a 10-lot subdivision.

Regarding excavation for the outdoor arena, Ed Gifford said it was a 2:1 slope which created a kind of a bowl. Runoff would go down to a detention area. The hillside would be revegetated plus there would be a lot of landscaping and trees. They wanted it kind of hidden. Mr. Covey said he currently had ownership of all the parcels.

Lon Lot asked if it would meet the requirements in the ordinance for the number of animals. David Church said the current use of the land was pasturing about 20 head of cattle. The proposed use would have fewer than the current use. Because of the number of parcels, he said it was obvious that under the ordinance they could have a significant number of horses without any permission, and then they could ask for more.

Troy Stout asked about creating and maintaining a trail access. Mr. Covey said they had no intention of blocking the trails. The north and south trail would be open. They also talked about maintenance of the trail, and risk aversion for Bridle Up Hope. Jannicke Brewer noted that the existing trails on the mountain were actually outside the property.

Ed Gifford said the property would be known as lot 2 of the Pierce subdivision plat. There wasn't a lot of access for the north/south trail so an easement for public use could be platted. The main issue was that horses would be in there

so there would need to be a dedicated separate path for the public that was not shared with the horses. There were issues about trail access that needed to be worked out but the Covey's were willing to work with the City.

Since it was in Councilwoman Kimberly Bryant's neighborhood, Rich Nelson had visited with her about the project. He said she was very pleased with it and felt it was better than a subdivision.

Will Jones said he had a number of questions. First, he asked about the width of the access road. Mr. Gifford said it was actually 20 feet rather than 16 as mentioned. Mr. Jones also had a question about the fire hydrant. Ed Gifford said they were proposing another hydrant by the roundabout. Mr. Jones also asked about the 54' waterline easement which crossed the property from north to south. It was shown on the master plan as a road.

David Church said it used to be common for cities to adopt an official transportation map and require construction of a road as a condition of development. But in 2005 the state law changed. A city had the authority to adopt an official map but the city may not use the map to require someone to build a street as part of their development unless the road was essential to their development. He said the proposed site plan could be built without construction of the north/south road. The City had acquired a 54-foot waterline easement but there was no easement for surface use, and no mechanism to force it to be built. With the expected traffic impact, the City could not justify requiring the road to be built. The road was shown on the street plan as an extension of Country Manor Lane.

Using the County parcel map, Ed Gifford said the traffic possibilities and circulation would not be hurt by the proposed site plan. He showed where they could build a culdesac from the Dave Moon property on the north. There were also traffic circulation possibilities to the south of the property.

Will Jones asked if there was a concern about a derelict parcel. David Church said Mr. Pierce wanted to keep his greenbelt status. It would technically be one parcel that fronted on Watkins Lane. They were leaving the situation as it was and just refiguring lots lines. They were not making it worse, neither were they improving it.

Lon Lott asked about the irrigation system for the project since the acreage was so large. Shane Sorensen said the scope of the project that would need irrigation had shrunk once they knew where the buildings were located. They would actually be irrigating about three acres.

Roger Bennett said that the outdoor arena would get dusty and they would need to water it down. He wanted to know if they were using PI water or culinary.

Mr. Harlan said they hadn't thought about it. They knew they may have to put in a 1000 gallon tank to use so they could have pressure. The outdoor arena would be watered once a day for about five minutes. If the City wanted them to use the culinary water, that is what they would use.

Troy Stout asked if anything in the ordinance regulated flies. David Church said that other than the nuisance ordinance, no. Mayor Watkins said the horses were stabled and it would be cleaner than cows. Mr. Covey said the stalls would be cleaned every day except Sunday.

MOTION: Will Jones moved to approve the Bridle Up Hope site plan subject to the following conditions:

1. Utility easement be provided for water, sewer and drainage infrastructure.
2. A Storm Drain Maintenance Agreement be completed, and recorded after the site was built.
3. A more detailed grading plan for the retention ponds be provided which would include a landscaping plan.
4. Ownership of the Davis Devey property transfer be completed.
5. The redlines on the plat be addressed.
6. The water policy be met with a subheading that culinary water be used for dust control for the arena.
7. Exterior lighting plan be submitted.
8. Maintain the north/south trail.
9. The location of the fire hydrants be approved by the fire marshal.

10. The applicant submit a building design rendering that coincided with the property elevations.

Roger Bennett seconded. Ayes: 3 Nays: 1. Lon Lott, Roger Bennett, Will Jones vote aye. Troy Stout voted nay. Motion passed. Troy Stout said he voted nay because he disagreed with removing the request for an east/west to the mountains.

It was discussed and Mr. Stout said he understood that they could not require the trail but they could ask for it. Over and over the public came to them and asked for access to the mountains.

MOTION: Troy Stout moved that the City ask that the developer would keep in mind the City's hope for an east/west trail through the property to access the north/south trail as the property was developed. Will Jones seconded. Ayes: 4 Nays: 0. Troy Stout, Will Jones, Roger Bennett and Lon Lott voted aye. Motion passed.

MOTION: Will Jones moved that the Pierce Subdivision, Plat B be amended to reflect changes as shown on the proposed plat. Lon Lott seconded. Ayes: 4 Nays: 0. Motion passed unanimously.

G. Bennett Farms Subdivision, Plat E - Final Approval - Roger Bennett: The proposed subdivision consisted of 3 lots and was located at the north end of Country Manor Lane. It was located in the CR-40,000 zone. The Planning Commission had recommended approval.

Roger Bennett declared a conflict of interest and said he would abstain from voting.

MOTION: Will Jones moved to grant final approval to Bennett Farms Subdivision, Plat E subject to the following conditions:

1. The fire chief approve the location of the fire hydrants.
2. A cost estimate be provided for the improvements.
3. A bond be provided for the cost of the improvement at recording.
4. Coverage under the UPDS Storm Water General Plan for Construction Activities must be obtained prior to construction.
5. Any correct found necessary on the final plat be addressed.

Troy Stout seconded. Ayes: 3 Nays: 0. Will Jones, Lon Lott, Troy Stout voted aye. Roger Bennett abstained. Motion passed.

H. Request for Culinary Water Service Outside City Boundaries: Shane Sorensen said that Cocolalla, LLC, owners of property at 13322 Grove Drive had requested culinary water service for an existing home outside Alpine City limits. The property had been served by the Alpine Irrigation Company prior to the installation of pressurized irrigation and was therefore currently served by Alpine's PI system. The City also provided sewer service to the property. The property owner's culinary water came from a couple of private wells but they were looking for a more reliable source of culinary water. Mr. Sorensen said they'd had a discussion about annexing the property into Alpine City. It was proposed that the property be annexed as a condition of providing culinary water.

David Church said the City had adopted a policy years ago that they would not provide culinary water outside the city limits. There were a number of reasons why they chose to do that. Under the law, a city could only provide surplus water outside the city and if there was a water shortage, those outside the city would be the first to be cut off. The best practice was to annex the property into the city.

Will Peterson was present at the meeting representing the property owners. He said there was a four-inch line run some years ago with the intent of hooking into the City's water.

Don Watkins asked if this annexation would open the door to annexing Alpine Cove. David Church said there was a process whereby a property could be annexed without a landowner's petition if they had been using city services for more than a year. He said that the Cocolalla property would be annexed by that method because it was faster. He added that the property appeared to be outside Alpine Annexation Declaration Area.

David Church clarified that the waterline was going in right now so Cocolalla needed a commitment that the City would annex them and provide culinary water.

Lon Lott said that, at some point, he would like to discuss an ordinance that made it very clear that the City would not provide culinary water outside the City. Will Jones agreed. He said he would like to make it an agenda item.

MOTION: Will Jones moved that, based on approval of a suitable agreement yet to be drafted and which the City Council would review, the City would agree to provide culinary water to the property at 13322 Grove Drive upon annexation. Roger Bennett seconded. Ayes: 4 Nays: 0. Lon Lott, Roger Bennett, Will Jones, Troy Stout voted aye. Motion passed unanimously.

I. Waterline and Sewer Line in Northeast Alpine: Shane Sorensen said the City had an earlier agreement with Patterson to construct a water line. After looking at the issues, it was thought that an alternate alignment route would be better. The alternate route would go through the rodeo grounds and Lambert Park would cost less because it wouldn't be in the asphalt streets. That cost difference of \$29,879.80 would be given to the City.

Don Watkins said the benefits of the alternate route in addition to the cost savings were that it would provide a fire hydrant in the rodeo grounds and the road wouldn't get torn up.

MOTION: Roger Bennett moved to accept the alternate route for the waterline serving northeast Alpine, and be willing to accept a donation of \$29,879.80 for the difference in the cost between the two routes, and facilitate any tax benefits that may come for the giver, with the work to be done within 48 hours. Will Jones seconded. Ayes 4 Nays: 0. Lon Lott, Roger Bennett, Will Jones, Troy Stout voted aye. Motion passed.

David Church said he would draft a memorandum of understanding and indicate that if the developer wanted a tax deduction for a donation of \$29,879.80, the City would sign the IRS form.

Craig Skidmore asked if the waterline was to serve the Patterson estate up on the mountain, which it was. He said that nine or ten years ago, Patterson had offered to restore the trail to Schoolhouse Springs in exchange for the water. He said this might be the perfect time to reopen the issue.

Will Jones said the City had already agreed to deliver water to him. They were just deciding on the route.

Next the Council discussed the sewer line route for the proposed Box Elder South Subdivision: Shane Sorensen said that as part of the Settlement Agreement, there was an approved sewer line route. It looked good on the aerial photo, but once they got on the ground, the contours were quite different. Because of that, they were proposing a different route that would go primarily through sagebrush. It was a better alignment and the depth of the sewer could be maintained. He recommended approving the alternate route. He said it would tie into the Bennett Farms subdivision, which had not been developed at the time of the Settlement Agreement. He said the alternate route was longer, but the constructability was easier so the cost of either route was comparable.

Roger Bennett said he had a conflict of interest because he owned part of Bennett Farms.

David Church asked Mr. Bennett if he was opposed to having it go through Bennett Farms. Mr. Bennett said he wasn't opposed to it, he was just declaring a conflict of interest because he was a part-owner.

Shane Sorensen said that anything that went through Bennett Farms would be on City Property, but Bennett Farms would benefit from it. He added that fewer trails would be affected by the new alignment.

David Church said the new alignment had been proposed by City Staff. Lon Lott asked if there would be a problem with changing the Settlement Agreement. David Church said the Pattersons agreed with the new alignment, and if they didn't, the other one would be built.

MOTION: Will Jones moved to approve the alternate alignment for the sewer line as proposed with all the agreements that accompanied the approval of the first alignment, and the sewer notes would be the same; the

construction would be completed in the same time frame and same manner as the first one. Lon Lott seconded. Ayes: 3 Nays: 0. Will Jones, Lon Lott, Troy Stout voted aye. Motion passed. Roger Bennett abstained.

J. Tentative Budget, Fiscal Year 2014-2015: Rich Nelson and Annalisa Beck presented the tentative budget which was included in their packets. Rich Nelson explained that this was not the final budget. There could still be changes prior to adoption of the final budget in June. A public hearing on the tentative budget would be held at the meeting of May 27, 2014. The final budget would be presented after that.

Roger Bennett asked about the 6% increase in retirement benefits. Annalisa said that was passed down from the retirement office. David Church explained that the City was required to participate in the system if they had a pension plan, and once they were in, they couldn't get out. The retirement office calculated what the contributions had to be to keep it from going broke. It was a big deal because all across the country there were defaults on pension plans. Roger Bennett asked why the employees were getting a 3% merit increase when the economy was the way it was. David Church explained the process which was for the Council to accept the tentative budget but then they could change it any way they wanted.

MOTION: Will Jones moved to accept the tentative budget. Troy Stout seconded. Ayes: 4 Nays: 0. Will Jones, Troy Stout, Lon Lott, Roger Bennett voted aye. Motion passed.

VI. STAFF REPORT

Shane Sorensen said the Bowen Collins memo had been sent out. They would be on the next agenda.

VII. COUNCIL COMMUNICATION

Troy Stout said he had been to in Costa Rica and tried to send an agenda item but it didn't go through. He also had a question on the fire access road in Lambert Park. He'd been told it was wide open in terms of trenching and wanted to know when it would be closed up because people ran up there at night.

Shane Sorensen said it should be closed in the next ten days. Dana Beck said they could still get through.

Will Jones

- He said he'd read that Senate Bill SB5651 would allow people to be covered under a cities' insurance without increasing the premium. David Church said he would have to read it since they only insured governmental entities
- Will Jones also asked if anyone had visited the site of Becky Wilford? Jason Bond said he had gone over and talked to her. The animal control officer would need to talk to her as well.
- He asked if there was any word on Alpine Cove paying for EMS service. Rich Nelson said the County had said they would pay for fire but not for EMS because the Cove was in Alpine's service area. He said they'd received just over \$12,000.
- He asked about plans to remodel City Hall for \$7000 if it was done in-house. Shane said it would be a winter project.
- He asked if Jed Muhlestein had an opportunity to attend the meeting for the Utah Lake Commission. Shane Sorensen said he'd told him about but thought the meeting had already come and gone.

Mayor Watkins said the Memorial Day Program was coming up. He asked if anyone had heard from Kimberly Bryant about it. They needed someone to write a program. He assigned the Council to see if they could find someone to do that.

Lon Lot asked about the meetings with the neighborhood about the parks. Will Jones said he had the letter written and was trying to locate it. They were supposed to meet on the 21st.

VIII. EXECUTIVE SESSION

MOTION: Will Jones moved to go to executive session. Lon Lott seconded Ayes: 4 Nays: 0. Lon Lott, Will Jones, Roger Bennett, Troy Stout voted aye. Motion passed.

The Council went into closed session at 10:19 pm. They returned to open meeting at 10:44 pm.

MOTION: Will Jones moved to adjourn. Roger Bennett seconded. Ayes: 4 Nays: 0. Motion passed.

The meeting was adjourned at 10:44 pm.